

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WOODROW, et al.

No. C 06-2155 WDB

Plaintiffs.

ORDER FOR PRODUCTION OF MARIN
CITY INCIDENT REPORT UNDER
PROTECTIVE ORDER

v.

SATAKE FAMILY TRUST, et al.,

Defendants.

On March 23, 2006, Plaintiffs filed this fair housing action seeking injunctive, declaratory and monetary relief against Defendants for allegedly discriminating against Plaintiffs on the basis of familial status and for retaliating against Plaintiffs by attempting to evict them after they complained about the discrimination. On May 5, 2006, Defendants answered the Complaint. Defendants also counterclaimed against Plaintiff for breach of contract for the alleged failure by Plaintiffs to vacate the premises after receiving a 60-Day Notice and for failure to pay rent and hold-over damages.

By subpoena served on the Marin County Sheriff's Office on August 31, 2006, Defendants sought written information held by the Sheriff's Office "pertaining to Plaintiff Judith Woodrow, from September 1, 2003 through November 1, 2005, and including but not limited to the incident occurring on or about 2/9/04." *See* Subpoena in a Civil Case to Marin County Sheriff's Office, Case Number C 06-2155 WDB, signed by Barrett Schaefer, Esq., on August 30, 2006. Apparently unable to release for copying without a court order a report of an incident that occurred on February 9, 2004 ("Report" or "Marin City Incident Report") pertaining to Ms. Woodrow, County Counsel of Marin County sent a copy of the Report, under seal, to this Court

1 to determine whether the Report should be disclosed to Defendants and, if so, to order that it be
2 produced.

3 Having reviewed the Marin City Incident Report, the Court finds that the Report is
4 discoverable under Federal Rule of Civil Procedure 26(b). Accordingly, the Court ORDERS
5 that, **by no later than Tuesday, October 10, 2006**, the County Counsel for Marin County must
6 produce the Report to counsel for Plaintiffs and Defendants subject to a **Protective Order**,
7 which the Court now enters: the Marin City Incident Report produced to counsel and the parties
8 is to be used for purposes of this litigation only. Contents of the report may not be disclosed to
9 any person outside this litigation. At the conclusion of this matter, Defendants' counsel must
10 promptly return to Plaintiffs' counsel all copies of the Report.

11 _____
12 IT IS SO ORDERED

13 Dated: September 28, 2006

/s/ Wayne D. Brazil

WAYNE D. BRAZIL
United States Magistrate Judge

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17 Copies to:
18 Parties, WDB, Stats, County Counsel of Marin City
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